

Message Text

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ACTION SCS-03

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E.O. 11652: N/A

TAGS: CASC, MA

SUBJ: W/W REPPAS

REF: TANANARIVE 0087

FOR: SCS

1. CONSOFF VISITED REPPAS LAWYER LEBEL 28 JAN TO DISCUSS VARIOUS ASPECTS OF UPCOMING APPEAL. ACCORDING TO LEBEL, DATE OF APPEAL HEARING HAS BEEN SET FOR 08 MAR. HOWEVER, HE QUICKLY ADDED HE CERTAIN DATE WOULD BE PUT BACK TO 15 MAR. FIRST DATE IS MERELY PROVISIONAL, AND COURT ALWAYS DELAYED, ESPECIALLY IN SO COMPLICATED AND IMPORTANT AN APPEAL.

2. LEBEL THEN DISCUSSED GENERAL MAKEUP OF COURT AND PROCEDURES. MALAGASY COURT OF APPEAL IS COMPOSED OF THREE JUDGES, ONE OF WHOM IS PRESIDENT. ORDINARILY A FIRST STUDY OF CASE IS DONE BY A "CONS-EILLER" OF COURT. THIS IS THEN SUBMITTED TO JUDGES WHOM MAKE FINAL DECISION (PRESUMABLY ON BASIS OF MAJORITY). LEBEL STATED THAT SURELY PRESIDENT OF COURT WOULD WRITE FIRST STUDY HIMSELF (ADDITIONAL REASON FOR DELAY), GIVEN IMPORTANCE OF CASE. IF APPEAL SUCCESSFUL AND REPPAS RELEASED, HE WOULD BE ABLE TO LEAVE MADAGASCAR RIGHT AWAY, EVEN THOUGH AGM CIVIL CASE NOT FINISHED.

3. NORMAL CONSULAR PRISON VISIT SCHEDULED 29 JAN NOT POSSIBLE. CONSOFF TELEPHONED REPPAS 28 JAN AT OFFICE OF PROCUREUR GENERAL WHERE HE IS WORKING WITH TRUSTEE ON CREDITOR REGISTRATION AND STUDIES FOR DISPOSITION OF AGM MONRONDAVA PLANT. REPPAS STATED HE WOULD NOT BE

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AT PRISION, BUT CONSOFF COULD "STOP BY THE OFFICE". REPPAS EXPECTS TO

CONTINUE WORK FOR TRUSTEE FOR SEVERAL WEEKS. CONSOFF TOLD REPPAS HE
WILL ATTEMPT BRIEF VISIT IF IT WOULD NOT DISRUPT MEETINGS WITH TRUS-
TEES.
MENDENHALL

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